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**Telephone: (612) 339-7461 Facsimile: (612) 349-6556**

SEP 28 2005

## FACSIMILE TRANSMISSION

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Name: C. G. Mersereau Fax No.: (612) 349-6556  
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September 28, 2005

PATENT APPLICATION

Our Docket No. 20040351.DIB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re App : Carol W. Readhead et al  
 S.N. : 10/008,385 : Art Unit 1632  
 Filed : November 12, 2001 : Examiner Joanne Hama  
 For : TRANSFECTION, STORAGE AND TRANSFER  
 OF MALE GERM CELLS FOR GENERATION  
 OF TRANSGENIC SPECIES & GENETIC THERAPIES

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MAIL STOP NON-FEE AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Statement Under 37 CFR 1.133 in response to an Official Letter mailed September 23, 2005 in the above-identified patent application.

The Commissioner is hereby authorized to charge any fees listed in 37 CFR 1.16 and 1.17 which may be required by this paper or credit any overpayment to Deposit Account No. 08-1265.

No additional fee is required.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.

C. G. Mersereau

CGM/bld  
 Enclosure

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SEP 28 2005

PATENT APPLICATION

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STATEMENT UNDER 37 CFR 1.133

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted pursuant to an Official Letter dated September 23, 2005 from the Examiner in charge of this application. That paper was in the form of an Interview Summary by the Examiner and included a one-month period for submission of a Statement of the Substance of an Interview by the applicant which period is set to expire on October 23, 2005.

The Interview was in the form of a telephone inquiry by the undersigned attorney regarding the submission of a reference to be cited in support of a response to an Official Action from the USPTO. The Interview did not go to the merits of the claims in any respect and had only to do with the question of submitting the reference with the response so that the response could be

faxed into the USPTO rather than having to include the reference in a separate IDS with other lengthy materials which would have to be mailed.

The description contained in the Substance of the Interview made of record by the Examiner regarding the submission of the journal article is essentially correct and, it is believed, need not be repeated here.

Respectfully submitted,  
NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Registration No. 26205  
820 International Centre  
900 Second Avenue So.  
Minneapolis, MN 55402  
(612) 339-7461

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Statement Under 37 CFR 1.133 to a paper dated on September 23, 2005, in application Serial No. 10/008,385, filed on November 12, 2001, of Carol W. Readhead et al, entitled "TRANSFECTON, STORAGE AND TRANSFER OF MALE GERM CELLS FOR GENERATION OF TRANSGENIC SPECIES & GENETIC THERAPIES", and a transmittal letter are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 28, 2005.



Barbara L. Davis  
On behalf of C. G. Mersereau

Date of Signature: September 28, 2005